the fact being brought to the notice of the Chief Minister that the Opposition parties are being attacked in Bhalki, Humnabad and Bidar Taluks during Taluk Board election'."

The amendment was negatived.

MR. SPEAKER.—All the amendments are lost. Now, I shall put the original motion to vote.

SRI K. H. PATIL.—On a point of order, Sir.

MR. SPEAKER.—There cannot be any point of order when the opinion of the House is taken.

The question is:

"That we, the members of the Mysore Legislative Assembly assembled in this Session beg leave to thank the Governor for the address delivered to the Members of the Legislature on 13th January, 1969."

The House divided

The result of the division is: Ayes—83. Noes—35. The Ayes have it.

The motion was adopted.

REPORT OF THE MYSORE PAY COMMISSION, 1966-68

Motion to consider.

MR. SPEAKER.—Now the Hon. Minister for Finance will formally move the motion that the Report of the Mysore Pay Commission be taken into consideration now.

SRI RAMAKRISHNA HEGDE.—I beg to move;

"That the Report of the Mysore Pay Commission, 1966-68 be taken into consideration."

SRI M. NAGAPPA.—On a point of order.

MR. SPEAKER.—He has moved the motion. If the member points out any rule I shall consider it and give a ruling tomorrow.

SRI M. NAGAPPA.—I am sorry to say that the motion cannot be moved. It is not at all a motion.

7-30 P.M.

Sri D. B. KALMANKAR.—I have given a motion regarding the Pay Commission Report. So the motion of the hon. Minister for Finance is not admissible according to sub-rule (vii) of rule 148 which says :

> " it shall not anticipate discussion of a matter which is likely to be discussed in the same session."

Since we have already given a motion that the Pay Commission Report be taken into consideration *in to to*, the present motion anticipates discussion of the motion of ours likely to be discussed. Therefore the motion of the hon. Minister is not in order and he may not be permitted to introduce it.

Sri M. NAGAPPA.—If it is taken to be a resolution, then the question of voting on it comes.

Mr. SPEAKER.—It is an offical motion.

Sri M. NAGAPPA.—If it is a motion, it is governed by Rules 146, 147 and 148. In the first instance, it should be given in writing. It is not so given.

I also draw the attention of the Hon. Speaker to Rule 151 which reads thus :

> " The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the Assembly on the original question."

Now what is the motion of the Government which is for Consideration ? The motion must be on a substantial matter ; that is the first condition for admissibility. It is not known whether the Government is going to accept or reject the Report. Unless the Government gives notice of a motion in substantial words and definitely states what it wants, it is not at all a motion and it can neither be taken into consideration nor put before the House for eliciting its opinion.

Apart from that, the Speaker has stated that Rules 294 and 295 will be taken into consideration for the purposes of speeches and reply ; in that case, the debate concludes with the reply. What is the outcome of this discussion then ?

In this connection, I will quote Rule 301 also which is as follows:

> " A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion made by a member."

That is the procedure for obtaining the decision of the House. If the motion is put for consideration, shall we say yes or no ? A definite

conclusion should be there and so Government should make up its mind to move an appropriate motion.

SRI K. PUTTASWAMY.—Hon. Member Sri Nagappa always raises very interesting points. He is correct in his contention that it is not in correct form if it is to be accepted. We have moved the motion for consideration under Rule 279, which says :

> " A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the Assembly, but the Assembly shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Speaker and the vote of the Assembly shall be taken on such motion."

I want that the words " any other matter " may be marked in the rule quoted now. It is a well-known and accepted procedure that whenever a motion is moved for consideration, unless there is a substantive motion, the motion is talked out. But if at the appointed time when no further consideration could be given to the motion, any hon. Member were to think of moving a substantive motion in appropriate terms, he could obtain the permission of the Speaker and have the vote of the House taken on the motion. Supposing in this present particular case, some hon. Member moves a substantive motion that the entire Report be accepted and implemented and obtains your permission and moves that motion, the House will have to consider it and give its decision. Therefore, I think Sri Nagappa, learned as he is, perhaps did not envisage the existence of Rule 279. Otherwise he would not have raised this objection.

SRI M. NAGAPPA.—I have seen Rule 279. If I am given sufficient time, I will substantiate my stand and rebut the argument of the hon. Minister.

MR. SPEAKER.—Hon. Members may do so within one minute.

SRI M. NAGAPPA.—It is impossible. Why should not this be taken tomorrow ?

MR. SPEAKER.—The Hon. Member may finish his argument within five minutes. I extend the time by 15 minutes.

SRI. M. NAGAPPA.—Rule 279 says :

> " A motion that the policy or situation or statement or any the other matter be taken into consideration shall not be put to the vote..... "

In this motion, the Report cannot be brought under " any other matter " because the Report has been submitted under the Commission

(SRI M. NAGAPPA)

of Enquiries Act, 1952. That will not come under either policy, or situation or statement. It won't come under any of those words or terms or provisions. The finding of the Report is under the Act. The report is of the Commission appointed by the Government. So the Report is not a policy of the Government; nor can it be a statement of the Government. So this Report that has been submitted by the Commission has to be placed on the floor of the House by a substantive motion indicating whether the Government is going to accept or reject it or whether a portion of it is to be accepted or rejected. Unless the motion comes under one or the other of categories enumerated, namely, policy or situation or statement, it cannot be admitted under rule 279. If it is taken as an independent motion, it should come under rules 146 and 147 and satisfy the conditions laid down in rule 148. This is my objection to the Government motion.

Sri D. B. KALMANKAR.—Rule 148 specifies certain conditions for the admissibility of a motion. I have already stated that we have made a substantive motion in this regard.

Mr. SPEAKER.—Now I reserve my ruling. I shall give it tomorrow.

Sri K. H. SRINIVAS.—This House has considered the Mahajan Commission Report under a similar provision. There can be no difference between the consideration of the Mahajan Commission Report and the Pay Commission Report. So, I think there is no merit in the point of order raised by the hon'ble Member Sri Nagappa.

Sri RAMAKRISHNA HEGDE.—Sir, I wanted to submit that this motion is moved under rule 279. It has been made clear by the Minister for Parliamentary Affairs, apart from the merit of the point of order raised by the hon. Member Sri Nagappa that the motion has already been moved. I only wish that I may be permitted to make some preliminary remarks so that tomorrow the discussion can take place I will not take more than five minutes.

Mr. SPEAKER.—The argument of the hon. Member Sri Nagappa is that it does not come under the word any other matter. According to him, this Commission is a Commission under the Commission of Enquiries Act, 1952.

Sri K. PUTTASWAMY.—It appears to me unusual that today this House seems to be very unreceptive so far as this side is concerned. I must thank the hon. Members for sitting upto 7-45 P.M. I do not like to tire their patience further. In deference to your ruling, Sir, we may discuss this matter tomorrow.

Mr. SPEAKER.—The House will now adjourn and meet tomorrow at 12 NOON.

The House adjourned at Forty-five Minutes past Seven of the Clock to meet again at Twelve of the Clock on Friday, the 24th January 1969.

WD 11966—GPB—600—19-' 196